

## EXHIBIT E

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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(A164,5)

In Re TERRORIST ATTACKS on  
SEPTEMBER 11, 2001

)  
) 03 MDL 1570 (RCC)  
) ECF Case

*This document relates to:*

*New York Marine & General Ins. Co. v. Al Qaida, 04-CV-6105 (RCC)*  
*Continental Casualty Co. v. Al Qaida Islamic Army, 04-CV-5970 (RCC)*

**STIPULATION AND ORDER  
FOR SERVICE OF PROCESS AND SETTING SCHEDULE FOR  
THE NATIONAL COMMERCIAL BANK TO RESPOND TO  
THE NEW YORK MARINE AND CONTINENTAL CASUALTY COMPLAINTS**

IT IS HEREBY STIPULATED AND AGREED, by and between undersigned counsel for the *New York Marine* and *Continental Casualty* Plaintiffs (collectively, "Plaintiffs"), and for Defendant The National Commercial Bank ("NCB"), subject to the approval of the Court, as follows:

1. A copy of the summons and complaint in *New York Marine* and *Continental Casualty*, in both Arabic and English, shall be served via Federal Express, or other major carrier, on the Ministry of Foreign Affairs, P.O. Box 55937, Riyadh 11544, Kingdom of Saudi Arabia. A copy of the air bill will be furnished to counsel for NCB. If the carrier will not deliver to a P.O. Box address, then Plaintiffs may use "Nasseria" in place of the P.O. Box and add the telephone number +966 1 407 9255.

2. A copy of the summons and complaint in *New York Marine* and *Continental Casualty*, in both Arabic and English, shall be served via Federal Express, or other major carrier, on NCB at its headquarters in Jeddah, Saudi Arabia at the following address: P.O. Box, Jeddah 21481, Kingdom of Saudi Arabia. If the carrier will not deliver to a P.O. Box address, then Plaintiffs may use "King Abdul Aziz St." in place of the P.O. Box. A copy of the airbill will be furnished to counsel for NCB.

3. A courtesy copy of the summons and complaint in *New York Marine and Continental Casualty* in English shall be served via Federal Express and e-mail on Patton Boggs LLP in Washington, D.C.

4. Each plaintiff shall serve its RICO Statement concerning NCB, as required by Paragraph 7 of the Court's Standing Rules of Practice and in Paragraph 14 of Case Management Order No. 2, not later than thirty (30) days from the date the Court approves this Stipulation and Order.

5. NCB shall have forty-five (45) days from the date on which the Court decides NCB's pending motions to dismiss in *Burnett* (03-CV-9849) and *Ashton* (02-CV-6977) to file a consolidated motion to dismiss, or to otherwise file individual responses to, the *New York Marine and Continental Casualty* complaints. The memorandum of law in support of NCB's consolidated motion shall not exceed 25 pages in length.


6. Plaintiffs shall have forty-five (45) days from the date on which it is served with NCB's consolidated motion to dismiss to file their consolidated response to NCB's motion to dismiss. Plaintiffs' consolidated memorandum of law in response to NCB's consolidated motion shall not exceed 25 pages in length.

7. NCB shall have 30 days thereafter to file a consolidated reply to Plaintiffs' opposition. NCB's consolidated reply memorandum of law shall not exceed 10 pages in length.

8. The foregoing schedule is without waiver of any of NCB's defenses, including the defense of lack of personal jurisdiction, except that NCB does not challenge the sufficiency of Plaintiffs' service of process on NCB in this case if made in compliance with Paragraphs 1-3 above.

Dated: Washington, D.C.  
~~December~~, 2004  
*January 3, 2005*


PATTON BOGGS LLP

  
\_\_\_\_\_  
Ronald S. Liebman (admitted pro hac vice)  
Mitchell R. Berger (MB4112)  
Ugo Colella (admitted pro hac vice)  
2550 M Street, N.W.  
Washington, DC 20037  
Phone: (202) 457-6000  
Fax: (202) 457-6315

*Counsel for Defendant*  
*The National Commercial Bank*

Respectfully submitted,

BROWN CAVALAS & FROMM LLP

  
\_\_\_\_\_  
Frank J. Rubino, Jr. (FR-6202)  
355 Lexington Avenue  
New York, New York 10017  
Phone: (212) 983-8500  
Fax: (212) 983-5946

*Counsel for Plaintiff*  
*New York Marine & General Insurance Company*

FERBER FROST CHAN & ESSNER, LLP

\_\_\_\_\_  
Robert M. Kaplan (RK1428)  
530 Fifth Avenue  
23<sup>rd</sup> Floor  
New York, New York 10036-5101  
Phone: (212) 944-2200

*Counsel for Plaintiffs*  
*Continental Casualty Co. et al.*

Dated: New York, New York  
December \_\_\_\_, 2004

SO ORDERED:

\_\_\_\_\_  
Richard C. Casey  
U.S.D.J.

Dated: Washington, D.C.  
December \_\_, 2004

PATTON BOGGS LLP

Ronald S. Liebman (admitted *pro hac vice*)  
Mitchell R. Berger (MB4112)  
Ugo Colella (admitted *pro hac vice*)  
2550 M Street, N.W.  
Washington, DC 20037  
Phone: (202) 457-6000  
Fax: (202) 457-6315

*Counsel for Defendant*  
*The National Commercial Bank*

Respectfully submitted,

BROWN GAVALAS & FROMM LLP

Frank J. Rubino, Jr.  
355 Lexington Avenue  
New York, New York 10017  
Phone: (212) 983-8500  
Fax: (212) 983-5946

*Counsel for Plaintiff*  
*New York Marine & General Insurance Company*

FERBER FROST CHAN & ESSNER, LLP

Robert M. Kaplan (RK1428)  
550 Fifth Avenue  
23<sup>rd</sup> Floor  
New York, New York 10036-5101  
Phone: (212) 944-2200

*Counsel for Plaintiffs*  
*Continental Casualty Co. et al.*

Dated: New York, New York  
December 7, 2004

*January*

SO ORDERED:

*Richard C. Casey*  
Richard C. Casey  
U.S.D.J. *mc*